

BEFORE THE OFFICE OF THE COMMISSIONER OF RAILROADS

STATE OF WISCONSIN

On the Commissioner's Own Motion for a Determination of the Adequacy of Warning Devices at the Grade Crossing of the Wisconsin Central Ltd. Tracks with CTH 'G' (West Limit Road) in the Town of Carson, Portage County

9164-RX-606

SUPPLEMENTAL ORDER

The Office of the Commissioner of Railroads (OCR) has previously issued an order that required the installation of new warning devices at the public crossing of the Wisconsin Central Ltd. (WCL) tracks with CTH 'G' (West Limit Road) in the Town of Carson, Portage County (Crossing No. 692 571D).

That order provided that the state of Wisconsin would provide the signal materials from the Caroline Street crossing in Neenah, which was being closed. Portage County had agreed to pay all other costs necessary to install the signals, per the County Highway Commissioner. At the time the expected cost for installation was about \$35,000. It was later determined that some equipment, including the gate mechanism, would need to be replaced. Consequently the costs are now estimated at \$73,119.

In order to facilitate the completion of the project, the Office of the Commissioner of Railroads will provide \$40,000 in safety funds and the signal materials from the Caroline Street crossing in Neenah to the Wisconsin Central Ltd. The Portage County Highway Department will pay all other costs necessary to install the signals.

THEREFORE, IT IS ORDERED,

1. That the **Wisconsin Central Ltd.** shall install and maintain 12" LED automatic flashing lights with gates, constant warning time circuitry and other appropriate appurtenances in accordance with such plans as are filed with and approved by the Office of the Commissioner of Railroads at the crossing of its tracks with CTH 'G' (West Limit Road) at-grade in the Town of Carson, Portage County by **December 31, 2006** (Crossing No. 692 571D).

2. That the **Wisconsin Central Ltd.** shall submit to the Office of the Commissioner of Railroads signal and circuit plans with the cost estimate of its proposed installation and upon completion of the signal project, a detailed statement of the actual cost to the Office and to the **Portage County Highway Department and to the Wisconsin Department of Transportation.**

3. That the signal installation work herein ordered shall not begin until the **Portage County Highway Department** informs the railroad that they may start such work. The cost of the new project initiated before the start notice will not be reimbursed with public funds and shall be the responsibility of the railroad.

4. That to the extent feasible the **Wisconsin Central Ltd.** shall re-use the signal equipment from the at-grade crossing of **Caroline Street** with its tracks in the City of Neenah, Winnebago County (crossing no. 690 237B).

5. That the **State of Wisconsin** shall provide **\$40,000 in safety funds** and the signal materials from the Caroline Street crossing in Neenah to the Wisconsin Central Ltd. The Portage County Highway Department has agreed to pay all other costs necessary to install the signals. The **Wisconsin Central Ltd.** shall be responsible for any cost assessed to the railroad pursuant to §195.60, Stats., for the investigation of this matter by the Office. The railroad shall not pass on those assessment costs either directly or indirectly.

6. That jurisdiction is retained.

Dated at Madison, Wisconsin, (March 13, 2006).

By the Office of the Commissioner of Railroads.

Rodney W. Kreunen
Commissioner of Railroads

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